

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL CALLAGHAN,

Plaintiff,

v.

Civil Action No. 2:12-cv-03419

NATALIE E. TENNANT,
in her official capacity as
West Virginia Secretary of State;
NATALE E. TENNANT, GARY A. COLLIAS,
WILLIAM N. RENZELLI, and ROBERT RUPP
in their official capacities as members of the
West Virginia State Election Commission,

Defendants.

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Comes now the Plaintiff, by and through his counsel, and moves this Court for a injunction preliminarily enjoining Defendants from implementing W.Va. Code § 3-12-11(e) and W.Va. Code § 3-12-11(f), the provisions of the West Virginia Supreme Court of Appeals Public Campaign Financing Pilot Program which allow participating candidates to receive additional taxpayer funds based on the expenditures of independent third-parties and non-participating candidates.

In support of this motion, Plaintiff submits a contemporaneously filed Memorandum of Law in Support of Preliminary Injunction and the attached Exhibit A (appendix previously filed with the Supreme Court of Appeals) and Exhibit B (Affidavit of Michael Callaghan).

MICHAEL CALLAGHAN
By Counsel

s/ Anthony J. Majestro

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CERTIFICATE OF SERVICE

The undersigned counsel, counsel for the Plaintiff, does hereby certify that on the 22nd day of August, 2012, I electronically filed the foregoing **Plaintiffs Motion for Preliminary Injunction** with the Clerk of the Court by utilizing the CM/ECF system, which will send electronic notification of said filing to counsel of record.

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